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REFERENCE TITLE: **parental educational choice grant program.**

State of Arizona
House of Representatives
Forty-seventh Legislature
First Regular Session
2005

HB 2625

Introduced by
Representatives Biggs, Anderson, Barnes, Boone, Farnsworth, Gorman, Mason,
Murphy, Pearce, Pierce, Smith, Senators Blendu, Harper: Representatives
Allen J, Burges, Gray C, Groe, Knaperek, McLain, Nichols, Quelland,
Robson, Rosati, Stump, Tully, Yarbrough

AN ACT

AMENDING TITLE 15, CHAPTER 8, ARIZONA REVISED STATUTES, BY ADDING ARTICLE 1.2; AMENDING TITLE 43, CHAPTER 10, ARTICLE 3, ARIZONA REVISED STATUTES, BY ADDING SECTION 43-1032; RELATING TO EDUCATION.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Title 15, chapter 8, Arizona Revised Statutes, is amended
3 by adding article 1.2, to read:

4 ARTICLE 1.2. PARENTAL EDUCATIONAL CHOICE GRANTS

5 15-817. Findings and legislative purpose

6 THE LEGISLATURE FINDS AND DECLARES:

7 1. THERE IS A CRISIS IN ELEMENTARY AND SECONDARY EDUCATION IN THIS
8 COUNTRY. MANY SCHOOLCHILDREN, BUT PARTICULARLY THOSE WHOSE PARENTS ARE POOR,
9 ARE PERFORMING SIGNIFICANTLY BELOW NATIONAL STANDARDS. OTHER CHILDREN ARE
10 DROPPING OUT OF SCHOOL BEFORE COMPLETING THE ORDINARY COURSE OF SECONDARY
11 EDUCATION. SUBSTANTIAL NUMBERS OF YOUNG PEOPLE ARE LEAVING SCHOOL WITHOUT
12 THE BASIC SKILLS AND KNOWLEDGE THAT WILL ENABLE THEM TO FIND AND HOLD A JOB
13 OR OTHERWISE FUNCTION AS PRODUCTIVE CITIZENS.

14 2. THE FREEDOM OF PARENTS TO CHOOSE SCHOOLS FOR THEIR CHILDREN THAT
15 ARE ACCEPTABLE TO THEIR PERSONAL EDUCATIONAL CONVICTIONS IS AN INHERENT AND
16 INALIENABLE PERSONAL RIGHT UNDER THE STATE AND FEDERAL CONSTITUTIONS. THE
17 CURRENT SYSTEM OF SCHOOL FINANCE LIMITS PARENTS' FREEDOM TO SELECT SCHOOLS
18 THAT THEY BELIEVE CAN PROVIDE THEIR CHILDREN WITH A QUALITY EDUCATION.

19 3. ALLOWING PARENTS TO CHOOSE SCHOOLS, PUBLIC AS WELL AS PRIVATE, FOR
20 THEIR CHILDREN WILL PROMOTE A HEALTHY COMPETITION AMONG SCHOOLS AND EMPOWER
21 PARENTS TO INFLUENCE EDUCATIONAL POLICIES AND PROCEDURES, LEADING TO BETTER
22 QUALITY EDUCATION. COMPETITION CAN ALSO LEAD TO LOWER COSTS AS WASTE AND
23 UNNECESSARY EXPENDITURES OF PUBLIC MONIES ARE NO LONGER TOLERATED.

24 4. THIS ARTICLE IS IN THE PUBLIC INTEREST AND FOR THE PUBLIC BENEFIT
25 AND SERVES A SECULAR PUBLIC PURPOSE.

26 15-817.01. Definitions

27 IN THIS ARTICLE, UNLESS THE CONTEXT OTHERWISE REQUIRES:

28 1. "CUSTODIAN" MEANS A RESIDENT OF THIS STATE WHO IS A PARENT OR THE
29 LEGAL GUARDIAN OF A QUALIFYING PUPIL.

30 2. "GRANT" MEANS A GRANT OF AID MADE UNDER THIS ARTICLE TO A
31 QUALIFYING PUPIL, THROUGH THE QUALIFYING PUPIL'S CUSTODIAN, TO BE USED BY AND
32 FOR THE BENEFIT OF THE PUPIL AS PROVIDED IN THIS ARTICLE.

33 3. "GRANT SCHOOL" MEANS A PRIVATE SCHOOL, WHETHER SECULAR OR
34 SECTARIAN, THAT MAINTAINS ONE OR MORE GRADE LEVELS FROM KINDERGARTEN THROUGH
35 GRADE TWELVE, THAT ELECTS AND IS ENTITLED TO PARTICIPATE IN AND REDEEM GRANTS
36 PURSUANT TO THIS ARTICLE AND THAT IS ACCREDITED BY A NATIONALLY RECOGNIZED
37 ACCREDITING ORGANIZATION.

38 4. "QUALIFYING PUPIL" MEANS A STUDENT WHO IS ELIGIBLE TO RECEIVE A
39 GRANT UNDER THIS ARTICLE.

40 15-817.02. Parental educational choice grant program; nature of
41 grants

42 A. A PARENTAL EDUCATIONAL CHOICE GRANT PROGRAM IS ESTABLISHED UNDER
43 WHICH EACH CUSTODIAN OF A QUALIFYING PUPIL WHO COMPLETES AN APPLICATION FOR A
44 GRANT UNDER THIS ARTICLE SHALL RECEIVE A GRANT THAT IS TO BE REDEEMED AT THE
45 GRANT SCHOOL IN WHICH THE PUPIL ENROLLS AND APPLIED TOWARD PAYMENT OF THE

1 TUITION AND FEES PAYABLE FOR THE EDUCATIONAL AND RELATED SERVICES PROVIDED TO
2 THE PUPIL BY THAT GRANT SCHOOL.

3 B. THE GRANTS PROVIDED UNDER THIS ARTICLE CONSTITUTE GRANTS OF AID TO
4 CHILDREN THROUGH THEIR RESPECTIVE CUSTODIANS AND NOT TO THE GRANT SCHOOLS IN
5 WHICH THE CHILDREN ARE ENROLLED. THE GRANTS DO NOT CONSTITUTE TAXABLE INCOME
6 TO THE CUSTODIANS OR THE CHILDREN.

7 C. A CHILD SHALL NOT RECEIVE A GRANT FOR ANY PORTION OF A SCHOOL YEAR
8 IN WHICH THE CHILD IS ENROLLED IN A PRIVATE SCHOOL THAT DOES NOT REDEEM
9 GRANTS UNDER THIS ARTICLE.

10 D. A CUSTODIAN IS FREE TO CHOOSE ANY GRANT SCHOOL FOR ENROLLMENT OF
11 THE QUALIFYING PUPIL, AND THAT CHOICE OR SELECTION IS NOT AND SHALL NOT BE
12 DEEMED TO BE A DECISION OR ACT OF THIS STATE OR ANY OF ITS POLITICAL
13 SUBDIVISIONS.

14 15-817.03. Grant eligibility

15 A. A PUPIL IS ELIGIBLE TO RECEIVE A GRANT UNDER THIS ARTICLE IF BOTH:

16 1. DURING THE SCHOOL YEAR IN WHICH THE SCHOLARSHIP IS TO BE EFFECTIVE,
17 THE PUPIL MEETS ALL OF THE FOLLOWING CONDITIONS:

18 (a) RESIDES IN THIS STATE.

19 (b) IS UNDER TWENTY-TWO YEARS OF AGE AND HAS NOT GRADUATED FROM HIGH
20 SCHOOL OR OBTAINED A GENERAL EQUIVALENCY DIPLOMA.

21 (c) ENROLLS AS A FULL-TIME PUPIL IN A GRANT SCHOOL AT A GRADE LEVEL IN
22 WHICH ALL QUALIFYING PUPILS IN THAT GRADE ARE ENTITLED TO RECEIVE A GRANT
23 PURSUANT TO THIS ARTICLE.

24 2. DURING THE YEAR BEFORE QUALIFYING FOR AND ACCEPTING A GRANT, THE
25 PUPIL WAS ENROLLED IN AND ATTENDING A PUBLIC SCHOOL IN THIS STATE FOR AT
26 LEAST NINETY PER CENT OF THE SCHOOL YEAR. PUPILS ENTERING KINDERGARTEN OR
27 FIRST GRADE ARE EXEMPT FROM THE PREVIOUS SCHOOL YEAR ATTENDANCE ELIGIBILITY
28 REQUIREMENT.

29 B. A QUALIFYING PUPIL WHO RECEIVES A GRANT PURSUANT TO THIS ARTICLE
30 SHALL CONTINUE TO RECEIVE A GRANT EACH YEAR IF THE PUPIL COMPLETED ALL
31 NECESSARY COURSEWORK TO BE PROMOTED TO AT LEAST THE NEXT GRADE LEVEL IN THE
32 GRANT SCHOOL, THE PUPIL IS IN GOOD ACADEMIC STANDING WITH THE GRANT SCHOOL
33 AND THE CUSTODIAN COMPLETES ALL APPLICATIONS REQUIRED BY THE GRANT SCHOOL AND
34 THE DEPARTMENT.

35 15-817.04. Implementation schedule

36 BEGINNING WITH THE 2006-2007 SCHOOL YEAR, EACH QUALIFYING PUPIL IN A
37 KINDERGARTEN PROGRAM, GRADE ONE AND GRADE TWELVE IN A GRANT SCHOOL IS
38 ENTITLED TO RECEIVE A GRANT. BEGINNING WITH THE 2007-2008 SCHOOL YEAR, EACH
39 QUALIFYING PUPIL IN GRADES TWO AND ELEVEN IS ENTITLED TO RECEIVE A GRANT.
40 BEGINNING WITH THE 2008-2009 SCHOOL YEAR, EACH QUALIFYING PUPIL IN GRADES
41 THREE, NINE AND TEN IS ENTITLED TO RECEIVE A GRANT. BEGINNING WITH THE
42 2009-2010 SCHOOL YEAR, EACH QUALIFYING PUPIL IN GRADES FOUR, SEVEN AND EIGHT
43 IS ENTITLED TO RECEIVE A GRANT. BEGINNING WITH THE 2010-2011 SCHOOL YEAR,
44 EACH QUALIFYING PUPIL IN GRADES FIVE AND SIX IS ENTITLED TO RECEIVE A GRANT.

15-817.05. Participation by grant schools

A. A PRIVATE SCHOOL, WHETHER SECULAR OR SECTARIAN, THAT MAINTAINS ANY GRADE IN WHICH A QUALIFYING PUPIL ENROLLED IS ENTITLED TO RECEIVE A GRANT PURSUANT TO THIS ARTICLE SHALL HAVE THE OPTION EACH SCHOOL YEAR OF PARTICIPATING OR NOT PARTICIPATING IN THE GRANT PROGRAM ESTABLISHED UNDER THIS ARTICLE. A SCHOOL THAT WISHES TO PARTICIPATE IN THE PROGRAM AS A GRANT SCHOOL MUST COMPLETE ALL APPLICATIONS WITH THE DEPARTMENT BY FEBRUARY 15 OF EACH CALENDAR YEAR FOR INCLUSION IN THE PROGRAM FOR THE FOLLOWING SCHOOL YEAR.

B. A PRIVATE SCHOOL THAT PARTICIPATES IN THE GRANT PROGRAM AND THAT IS ENTITLED TO REDEEM A GRANT FOR A QUALIFYING PUPIL WHO ENROLLS IN THAT GRANT SCHOOL IS NOT REQUIRED TO ACCEPT THE GRANT AS FULL PAYMENT FOR THE EDUCATIONAL AND RELATED SERVICES THAT THE SCHOOL PROVIDES TO THAT PUPIL AND MAY CHARGE THE PUPIL AN ADDITIONAL AMOUNT REPRESENTING THE BALANCE OF THE TUITION AND FEES THAT REMAINS PAYABLE AFTER CREDITING THE PUPIL WITH THE AMOUNT OF THE GRANT RECEIVED BY THE PUPIL UNDER THIS ARTICLE. A PRIVATE SCHOOL THAT REDEEMS GRANTS UNDER THIS ARTICLE SHALL USE THE GRANT PROCEEDS SOLELY TO PROVIDE EDUCATIONAL GOODS, SERVICES AND FACILITIES FOR ITS PUPILS AND IS NOT ENTITLED TO RECEIVE, FOR REDEEMING A GRANT, ANY AMOUNT IN EXCESS OF THE TUITION AND FEES CUSTOMARILY CHARGED BY THE SCHOOL TO COVER THE COST OF PROVIDING THOSE EDUCATIONAL GOODS, SERVICES AND FACILITIES.

C. EACH GRANT SCHOOL SHALL:

1. ENSURE THE ELIGIBILITY OF EACH APPLICANT FOR A GRANT ISSUED PURSUANT TO THIS ARTICLE.

2. BY AUGUST 1 OF EACH YEAR, SUBMIT A LIST OF QUALIFYING PUPILS AND THE CONTACT INFORMATION OF EACH CUSTODIAN OF A QUALIFYING PUPIL ACCEPTED INTO THE SCHOOL FOR THAT SCHOOL YEAR TO THE DEPARTMENT.

3. SUBMIT A LIST OF QUALIFYING PUPILS ENROLLED IN AND ATTENDING THE SCHOOL WITH A GRANT AS OF THE DATE OF THE REPORT TO THE DEPARTMENT ON AUGUST 15, OCTOBER 15, JANUARY 15 AND APRIL 15. THE REPORT SHALL CONSTITUTE THE BASE PUPIL LEVEL OF QUALIFYING PUPILS. THE BASE PUPIL LEVEL SHALL ACCURATELY REFLECT THE NUMBER OF QUALIFYING STUDENTS ENROLLED IN AND ATTENDING THE GRANT SCHOOL.

4. ANNUALLY MEET AT LEAST ONE OF THE FOLLOWING STANDARDS:

(a) AT LEAST SEVENTY PER CENT OF THE PUPILS IN THE PROGRAM ADVANCE AT LEAST ONE GRADE LEVEL EACH YEAR.

(b) THE GRANT SCHOOL'S AVERAGE ATTENDANCE RATE FOR THE PUPILS IN THE PROGRAM IS AT LEAST NINETY PER CENT.

(c) AT LEAST EIGHTY PER CENT OF THE PUPILS IN THE PROGRAM DEMONSTRATE SIGNIFICANT ACADEMIC PROGRESS.

(d) AT LEAST SEVENTY PER CENT OF THE FAMILIES OF PUPILS IN THE PROGRAM MEET PARENT INVOLVEMENT CRITERIA ESTABLISHED BY THE GRANT SCHOOL.

1 15-817.06. Annual list of grant schools: applications for
2 admission and grant

3 A. ON OR BEFORE MARCH 31, 2006 AND EACH MARCH 31 THEREAFTER, THE
4 DEPARTMENT SHALL ISSUE A PRESS RELEASE AND SHALL PUBLISH ON ITS WEB SITE A
5 LIST OF ALL GRANT SCHOOLS IN THE STATE THAT WILL REDEEM GRANTS UNDER THIS
6 ARTICLE FOR THE SCHOOL YEAR THAT BEGINS IN THAT CALENDAR YEAR. EACH SCHOOL
7 ON THE LIST SHALL BE IDENTIFIED BY AT LEAST CONTACT INFORMATION AND BY THE
8 GRADE LEVEL OR LEVELS FOR WHICH THE SCHOOL WILL REDEEM GRANTS FOR THAT SCHOOL
9 YEAR.

10 B. A CUSTODIAN WHO WISHES TO ENROLL A QUALIFYING PUPIL IN A GRANT
11 SCHOOL FOR ANY SCHOOL YEAR ON A GRANT THAT IS TO BE ISSUED UNDER THIS ARTICLE
12 SHALL COMPLETE AND SUBMIT, NOT LATER THAN JUNE 15 OF THE CALENDAR YEAR IN
13 WHICH THE SCHOOL YEAR THAT THE GRANT IS TO BE EFFECTIVE BEGINS, AN
14 APPLICATION TO THE GRANT SCHOOL ON A FORM PROVIDED BY THE SCHOOL. THE
15 APPLICATION SHALL BE FILED AT THE SAME TIME THAT THE CUSTODIAN SUBMITS THE
16 APPLICATION FOR A GRANT TO THE DEPARTMENT OF EDUCATION PURSUANT TO
17 SUBSECTION C. WITHIN FORTY-FIVE DAYS AFTER RECEIVING THE APPLICATION, THE
18 GRANT SCHOOL SHALL NOTIFY THE APPLICANT, IN WRITING, WHETHER THE APPLICATION
19 HAS BEEN ACCEPTED. THE DEPARTMENT SHALL ENSURE THAT THE PRIVATE SCHOOL
20 DETERMINES WHICH PUPILS TO ACCEPT ON A RANDOM BASIS, EXCEPT THAT THE GRANT
21 SCHOOL MAY GIVE PREFERENCE IN ACCEPTING APPLICATIONS TO RETURNING QUALIFYING
22 PUPILS AND SIBLINGS OF QUALIFYING PUPILS ACCEPTED ON A RANDOM BASIS. IF THE
23 GRANT SCHOOL REJECTS AN APPLICANT BECAUSE IT HAS TOO FEW AVAILABLE SPACES,
24 THE PUPIL MAY USE THE GRANT TO APPLY FOR ENROLLMENT BEFORE JUNE 15 OF EACH
25 YEAR TO A PARTICIPATING GRANT SCHOOL THAT HAS SPACE AVAILABLE.

26 C. A CUSTODIAN WHO WISHES TO ENROLL A QUALIFYING PUPIL IN A GRANT
27 SCHOOL SHALL SUBMIT AN APPLICATION FOR A GRANT TO THE DEPARTMENT. THE FORM
28 OF APPLICATION FOR A GRANT SHALL BE DEVELOPED BY THE DEPARTMENT AND SHALL BE
29 PUBLISHED ON ITS WEB SITE IN A FORMAT THAT MAY BE DOWNLOADED BY PUPILS OR
30 CUSTODIANS OF PUPILS WHO REQUEST THE FORM. THE GRANT FORM SHALL PROVIDE FOR
31 IDENTIFICATION OF A QUALIFYING PUPIL BY AT LEAST THE PUPIL'S NAME, DATE OF
32 BIRTH, ADDRESS, SCHOOL DISTRICT OF RESIDENCE, SCHOOL AND GRADE OF CURRENT
33 ENROLLMENT, SCHOOL TO WHICH APPLICATION FOR ADMISSION UNDER A GRANT IS BEING
34 MADE AND GRADE OF SCHOOL IN WHICH THE GRANT APPLIED FOR IS TO BE EFFECTIVE.

35 D. NOTWITHSTANDING ANY OTHER LAW, THE DEPARTMENT SHALL REDUCE THE
36 AVERAGE DAILY MEMBERSHIP OF THE PUBLIC SCHOOL OF PREVIOUS YEAR ATTENDANCE FOR
37 EACH QUALIFYING PUPIL WHO RECEIVES A GRANT PURSUANT TO THIS ARTICLE.

38 15-817.07. Grant value

39 A. A GRANT ISSUED UNDER THIS ARTICLE FOR THE BENEFIT OF A QUALIFYING
40 PUPIL IN KINDERGARTEN PROGRAMS AND GRADES ONE THROUGH EIGHT SHALL HAVE A
41 VALUE EQUAL TO THREE THOUSAND FIVE HUNDRED DOLLARS OR THE TOTAL AMOUNT OF
42 TUITION AND FEES CHARGED BY THE SCHOOL, WHICHEVER IS LESS. A GRANT ISSUED
43 UNDER THIS ARTICLE FOR THE BENEFIT OF A QUALIFYING PUPIL IN GRADES NINE
44 THROUGH TWELVE SHALL HAVE A VALUE EQUAL TO FOUR THOUSAND FIVE HUNDRED DOLLARS
45 OR THE TOTAL AMOUNT OF TUITION AND FEES CHARGED BY THE SCHOOL, WHICHEVER IS
46 LESS.

1 B. THE GRANT VALUE SHALL BE ANNUALLY ADJUSTED TO REFLECT THE
2 PERCENTAGE INCREASE IN THE BASE LEVEL PRESCRIBED IN SECTION 15-901.01.

3 15-817.08. Distribution of grant monies: transfer from grant
4 school; excess value of grant

5 A. THE MONIES TO PAY A GRANT THAT IS ISSUED FOR THE BENEFIT OF A
6 QUALIFYING PUPIL AND THAT IS TO BE EFFECTIVE DURING THE SCHOOL YEAR WITH
7 RESPECT TO WHICH THOSE MONIES ARE PAID SHALL BE DISTRIBUTED BY THE DEPARTMENT
8 IMMEDIATELY ON RECEIPT OF PROOF OF THE PUPIL'S ENROLLMENT IN THE GRANT SCHOOL
9 DURING A SCHOOL YEAR AND IN THE FORM OF A GRANT TO THE CUSTODIAN. THE
10 CUSTODIAN SHALL RESTRICTIVELY ENDORSE THE GRANT FOR THE USE OF THE GRANT
11 SCHOOL AND SURRENDER THE GRANT TO THE GRANT SCHOOL. THE GRANT SCHOOL SHALL
12 IMMEDIATELY CREDIT THE ACCOUNT OF THE CUSTODIAN OF THE QUALIFYING PUPIL AND
13 APPLY THE GRANT FOR THE BENEFIT OF THE QUALIFYING PUPIL IN PAYMENT OF THE
14 TUITION AND FEES DUE FROM, OR THE COSTS OF PROVIDING EDUCATIONAL AND RELATED
15 SERVICES TO, THAT PUPIL.

16 B. THE DEPARTMENT SHALL ANNUALLY MAKE FOUR PAYMENTS TO A GRANT SCHOOL
17 BASED ON THE BASE PUPIL LEVEL PURSUANT TO SECTION 15-817.05, SUBSECTION C,
18 PARAGRAPH 3. THE PAYMENTS SHALL BE ISSUED TO THE GRANT SCHOOLS ON SEPTEMBER
19 1, NOVEMBER 1, FEBRUARY 1 AND MAY 1.

20 C. NOTWITHSTANDING ANY OTHER PROVISION OF THIS ARTICLE, IF A
21 QUALIFYING PUPIL TRANSFERS FROM A GRANT SCHOOL TO ANOTHER SCHOOL DURING THE
22 SCHOOL YEAR IN WHICH A GRANT ISSUED FOR THE BENEFIT OF THAT PUPIL IS
23 EFFECTIVE, THE GRANT SCHOOL FROM WHICH THE PUPIL TRANSFERS SHALL:

24 1. PROVIDE WRITTEN NOTICE OF THE TRANSFER, WITHIN TEN DAYS AFTER THE
25 TRANSFER OCCURS, TO THE DEPARTMENT.

26 2. RETURN TO THE DEPARTMENT, TO BE HELD IN TRUST AND MAINTAINED BY THE
27 DEPARTMENT IN THE NAME OF THE TRANSFERRING PUPIL'S CUSTODIAN FOR THE BENEFIT
28 OF THAT PUPIL, ANY GRANT MONIES ALREADY PAID OR DISTRIBUTED TO THE GRANT
29 SCHOOL UNDER SUBSECTION A OF THIS SECTION FOR THE BENEFIT OF THAT PUPIL FOR
30 THAT SCHOOL YEAR AND NOT YET DUE OR EARNED AS TUITION AND FEES OR AS THE COST
31 OF PROVIDING EDUCATIONAL AND RELATED SERVICES FOR THAT PUPIL FOR THAT SCHOOL
32 YEAR.

33 15-817.09. Parental educational choice grant fund

34 A. THE PARENTAL EDUCATIONAL CHOICE GRANT FUND IS ESTABLISHED. THE
35 DEPARTMENT SHALL ADMINISTER THE FUND. MONIES IN THE FUND ARE CONTINUOUSLY
36 APPROPRIATED. MONIES IN THE FUND SHALL BE USED FOR PARENTAL EDUCATIONAL
37 CHOICE GRANTS PURSUANT TO THIS ARTICLE.

38 B. MONIES IN THE FUND ARE EXEMPT FROM THE PROVISIONS OF SECTION 35-190
39 RELATING TO LAPSING OF APPROPRIATIONS.

40 C. THE DEPARTMENT MAY USE UP TO ONE PER CENT OF THE ANNUAL LEGISLATIVE
41 APPROPRIATION FOR PAYMENT OF THE COSTS AND EXPENSES THAT ARE INCURRED BY THE
42 DEPARTMENT IN PERFORMING THE DUTIES AND RESPONSIBILITIES UNDER THIS ARTICLE.

1 15-817.10. Violations: classification

2 A PERSON WHO DOES ANY OF THE FOLLOWING IS GUILTY OF A CLASS 6 FELONY:

3 1. USES OR ATTEMPTS TO USE A GRANT OR CERTIFICATE OF GRANT FOR ANY
4 PURPOSE OTHER THAN THOSE PERMITTED BY THIS ARTICLE.

5 2. WITH INTENT TO DEFRAUD, KNOWINGLY FORGES, ALTERS OR MISREPRESENTS
6 INFORMATION ON A GRANT OR CERTIFICATE OF GRANT OR ON ANY DOCUMENTS SUBMITTED
7 IN APPLICATION FOR A GRANT.

8 3. ISSUES OR DELIVERS ANY GRANT, CERTIFICATE OF GRANT OR OTHER GRANT
9 RELATED DOCUMENT KNOWING IT HAS BEEN FORGED, ALTERED OR BASED ON
10 MISREPRESENTATION.

11 4. POSSESSES, WITH INTENT TO ISSUE OR DELIVER, ANY GRANT, CERTIFICATE
12 OF GRANT OR OTHER GRANT RELATED DOCUMENT KNOWING IT HAS BEEN FORGED, ALTERED
13 OR BASED ON MISREPRESENTATION.

14 15-817.11. Limitation on regulation of private schools

15 A. IN ANY LEGAL PROCEEDING CHALLENGING THE APPLICATION OF THIS ARTICLE
16 TO A PRIVATE SCHOOL, THIS STATE BEARS THE BURDEN OF ESTABLISHING THAT THE LAW
17 IS NECESSARY AND DOES NOT IMPOSE ANY UNDUE BURDEN ON PRIVATE SCHOOLS.

18 B. A PRIVATE SCHOOL SHALL NOT BE REQUIRED TO ALTER ITS CREED,
19 PRACTICES OR CURRICULUM IN ORDER TO REDEEM GRANTS ISSUED PURSUANT TO THIS
20 ARTICLE OR IN ORDER TO PARTICIPATE AS A GRANT SCHOOL.

21 Sec. 2. Title 43, chapter 10, article 3, Arizona Revised Statutes, is
22 amended by adding section 43-1032, to read:

23 43-1032. Parental educational choice grants not taxable income

24 PARENTAL EDUCATIONAL CHOICE GRANTS AWARDED PURSUANT TO TITLE 15,
25 CHAPTER 8, ARTICLE 1.2 SHALL NOT BE CONSIDERED TAXABLE INCOME OF THE
26 CUSTODIAN OF THE CHILD OR THE CHILD WHO RECEIVES THE PARENTAL EDUCATIONAL
27 CHOICE GRANT.

28 Sec. 3. Conforming legislation

29 The legislative council staff shall prepare proposed legislation
30 conforming the Arizona Revised Statutes to the provisions of this act for
31 consideration in the forty-seventh legislature, second regular session.